

**Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, D.C. 20554**

In the Matter of)	
)	
Communications Assistance for Law)	ET Docket No. 04-295
Enforcement Act and Broadband Access and)	
Services)	RM-10865

**REPLY COMMENTS OF
University of West Florida Board of Trustees**

The University of West Florida, on behalf of the University of West Florida Board of Trustees, respectfully submits these reply comments in response to the Further Notice of Proposed Rulemaking adopted in the above-captioned docket.¹ The University of West Florida supports the comments filed by the Higher Education Coalition, Florida LambdaRail LLC, and the Florida Board of Governors, and submits this reply to amplify several points based on its own experience and circumstances.

The University of West Florida is deeply concerned with the implications of implementing this proposed rule. Specifically, we are concerned that our internal (“private”) university network may be subject to the requirements that CALEA places upon public networks, merely because our private network connects to the public Internet, even though our network exists for the educational, research, and service mission of the University and is not intended for public use.

¹ *Communications Assistance for Law Enforcement Act and Broadband Access and Services*, First Report and Order and Further Notice of Proposed Rulemaking, ET Docket No. 04-295, FCC 05-153 (rel. Sept. 23, 2005) (“*Order*”).

Should our network be subject to CALEA, we are concerned that the proposed rulemaking mandates full compliance for newly covered entities by May of 2007, but does not provide specifications for what constitutes compliance. Without such specifications, we cannot assess the impact of any required re-engineering of our network architecture. Further, we cannot determine if network equipment vendors can provide routers and switches that are compliant with the requirements of CALEA, nor can we assess the budget impact and network architecture implications of implementing the specifications.

Finally, we are concerned that a broad application of CALEA would impose significant financial burdens on the University and would divert scarce funds from our educational mission. Even for a mid-sized university (approximately 10,000 students) such as the University of West Florida, replacement of our core switches and routers in order to meet CALEA requirements could cost many millions of dollars. Further, it would require significant changes to how we design, equip, and manager our network, with significant potential personnel costs as well. As the University of West Florida has received no wiretap requests in the past ten years or more, the prospect of spending immense resources on large-scale re-engineering of our university network facility would provide little or no value, while at the same time negatively impacting our educational mission. This undue expense can be avoided by continuing our long-standing close cooperation with law enforcement, and by having law enforcement officers work directly with trusted network operators to identify the best way to intercept or monitor particular communications should the need arise.

In light of the concerns expressed above, the University of West Florida urges the Commission to suspend the compliance date of May 2007 until these questions and issues can be resolved. Further, we respectfully request that the Commission clarify that private networks

operated by higher education and research institutions are not subject to CALEA, or alternatively grant an exemption to higher education and research institutions under Section 102(8)(C)(ii) of CALEA.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "John C. Cavanaugh". The signature is fluid and cursive, with the first name "John" being more prominent.

Dr. John C. Cavanaugh, President
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